

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Freddie J. Wells, )  
                        )  
                        )  
Plaintiff,         ) C.A. No. 4:05-2321-HMH-TER  
                        )  
                        )  
vs.                 ) **OPINION & ORDER**  
                        )  
                        )  
The South Carolina Department of )  
Corrections; Anthony Padula,     )  
Warden of Lee C.I.; and Willie L. )  
Eagleton, Warden of Evans C.I., )  
                        )  
                        )  
Defendants.         )

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b)(1) (2006) and Local Civil Rule 73.02 of the District of South Carolina. Freddie J. Wells (“Wells”), a state prisoner proceeding pro se, brings this action pursuant to 42 U.S.C.

§ 1983. Wells alleges that the Defendants denied him access to the courts which caused him to file an untimely Notice of Appeal in a previous action, leading to the dismissal of that petition. In his Report and Recommendation, Magistrate Judge Rogers recommends granting the Defendants’ motion for summary judgment.

Wells filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party’s right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the

Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds Wells' objections are non-specific, unrelated to the dispositive portions of the Magistrate Judge's Report and Recommendation, or merely restate his claims. Based on the foregoing, after a thorough review of the Magistrate Judge's Report and the record in this case, the court adopts Magistrate Judge Rogers' Report and Recommendation.

Therefore, it is

**ORDERED** that the Defendants' motion for summary judgment, docket number 28, is granted.

**IT IS SO ORDERED.**

s/Henry M. Herlong, Jr.  
United States District Judge

Greenville, South Carolina  
November 20, 2007

**NOTICE OF RIGHT TO APPEAL**

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.